

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- against -

20 Cr. 599 (JGK)

FELIX CAMILO POLANCO,
Defendant.

ORDER

JOHN G. KOELTL, District Judge:


By application dated November 3, 2021, the defendant seeks permission to file a late notice of appeal. ECF No. 41. The defendant advises the Court that the Government opposes the motion. The judgment of conviction was entered on August 11, 2021, ECF No. 34, and the Court advised the defendant at the time of his sentence that the time to file a notice of appeal was 14 days after the entry of the judgment of conviction, although the defendant had waived the right to file an appeal from his sentence. The Court may extend the time to file a notice of appeal for no longer than 30 days after the expiration of that 14-day period upon a showing of "excusable neglect or good cause." Fed. R. App. P. 4(b)(4). The time to make such a motion has long since passed, and the defendant has, in any event, failed to show excusable neglect or good cause. The motion to file a late notice of appeal is therefore **denied**.

By application dated November 3, 2021, the defendant also moves to stay his surrender date to the Bureau of Prisons which

is scheduled for November 5, 2021. ECF No. 40. The Court will extend the surrender date to **November 12, 2021 at 2:00 p.m.** However, the defendant should not expect any future extensions. The Court has already extended the defendant's surrender date once before in response to an application which was also made two days before the defendant's surrender date. See ECF No. 39.

SO ORDERED.

**Dated: New York, New York
November 5, 2021**



**John G. Koeltl
United States District Judge**